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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 000595

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TAGS: [PREF](#) [PHUM](#) [TH](#) [BM](#)

SUBJECT: PROTECTING THE ROHINGYA BOAT PEOPLE

REF: A. STATE 017836
[1](#)B. BANGKOK 0454
[1](#)C. 0395
[1](#)D. 0311
[1](#)E. 0233
[1](#)F. 165
[1](#)G. 139

Classified By: Ambassador Eric G. John, for reasons: 1.4 (B) and (D)

[1](#)1. (C) Summary and Recommendation: We have repeatedly raised Ref A,s points with Thai officials from the PM down to provincial security personnel, as well as with wider public audiences. Such pressure reversed the temporary maritime push-back policies in place in December and early January. The Thai may resort to a &soft deportation8 of the Rohingya which would not deliver them into the hands of Burmese authorities. The best alternative to deportation would be the establishment of a temporary holding facility in Thailand for the Rohingya, to be used pending the results of a coordinated regional approach including pressure on the Burmese government to improve conditions in Northern Rakhine State. If we press the RTG for this option rather than soft deportation, however, we should be prepared (along with other international donors) to provide financial support for the desired holding facility. End Summary and Recommendation.

[1](#)2. (C) We have advocated for international standards of protection for the Rohingya at many different levels in the Royal Thai government (RTG), from Ambassador-level presentations to the Prime Minister and Foreign Minister, to refugee coordinator discussions with the provincial military and civil defense officials responsible for reacting to boat arrivals. The objectives in Ref A were specific advocacy points in these engagements.

[1](#)3. (C) We have also raised U.S. policy concerns to wider Thai audiences. EAP DAS Scot Marciel addressed the Rohingya issue at a February 26 Bangkok university conference with senior MFA officials in attendance, and discussed the Rohingya with MFA PermSec Virasak during the ASEAN Summit on February 28. Marciel underlined our opposition to the forced return of Rohingya to Burma, and the need to address the root causes of their flight from Burma. A constructive role by ASEAN in pushing the Burmese government to improve conditions in Northern Rakhine State was proposed. Ambassador John similarly publicly voiced U.S. opposition to forced RTG return of the Rohingya in an article published in the March 5th edition of The Irrawaddy, a regional publication specializing in Burma-related issues. The policy statement was subsequently reported by a Thai television news station. In the article, Ambassador also supported efforts to address the Rohingya in a regional context in the ASEAN and Bali Process fora.

Thai policy at present

14. (C) Our efforts, combined with the international media criticism, played a role in the RTG's abandonment of its short-lived "push-back" policy towards arriving Rohingya boats in December. The passengers aboard the only vessel to arrive after our advocacy push have been treated humanely and transferred to civilian custody. The 78 men and boys, who received medical care, are still being held in the Immigration Detention Center in Ranong. The RTG granted UNHCR access to the group for initial interviews, which determined that all were Rohingya who departed directly from Burma. Permission for full refugee status determinations (RSD) has not been granted by the RTG, which is concerned the move (which promises possible third country resettlement) may trigger additional dangerous voyages from Burma and Bangladesh.

UNHCR view

15. (C) UNHCR is not pressing for full RSD access to this (and future) groups of Rohingya, however. UNHCR Regional Representative Raymond Hall told us privately they do not have the resources to conduct individual RSD interviews for arriving boatloads of Rohingya: each interview can take 2-3 hours with translation. Hall believes that enough is known of the conditions of systemic persecution in Burma's Northern Rakhine State (where UNHCR has had a presence since the mid-1990's) to conclude that all

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Rohingya departing from the area are "persons of concern" and eligible for the protections extended vulnerable people. In addition, Hall noted that formally awarding full refugee status propels a requirement for one of the standard durable solutions - voluntary return in safety to Burma, local integration into Thailand, and third country resettlement - all of which are unavailable at the moment.

Looking forward: what next

16. (C) We consider it unlikely the RTG will agree to allow the most recent group of Rohingya to stay indefinitely. The RTG may be considering a "soft" deportation of the 78 Rohingya boat people in immigration custody by land into Burma. (In a soft deportation, used daily for returning illegal Burmese migrants, people are brought to the Burmese side of the border away from formal checkpoints, and simply left, without a hand-over to Burmese authorities. The deportees often return to Thailand within a day or two.) For the Rohingya, this would likely result in an entry into the Thailand-based alien smuggling syndicates that specialize in moving them by land to Malaysia; there is reason to believe such syndicates organized their initial boat trip from Rakhine State.

JOHN